

## REMARKS

The application has been carefully reviewed in light of the final Office Action dated January 14, 2009. Claims 11, 12, 15 and 18 to 20 are in the application, with Claims 11, 19 and 20 being independent. Claims 14, 16 and 17 have been cancelled and Claims 11, 12, 15, 19 and 20 have been amended. Reconsideration and further examination are respectfully requested.

Claim 20 was rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. The amendments to Claim 20 are seen to attend to this rejection. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

Claims 11, 12, 14 and 18 to 20 were rejected under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2002/0122194 (Kuwata) in view of U.S. Patent Application Publication No. 2003/0176281 (Hultgren), and further in view of U.S. Patent No. 6,198,553 (Yamamoto). Claim 15 was rejected under 35 U.S.C. § 103(a) over Kuwata in view of Hultgren and Yamamoto, and further in view of U.S. Patent No. 6,975,437 (Takemoto). Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) over Kuwata in view of Hultgren and Yamamoto, and further in view of U.S. Patent No. 6,629,107 (Ouchi). Claims 14, 16 and 17 have been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of their rejection. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

Independent Claim 11 as amended generally concerns an image processing method. The method includes the steps of obtaining image data and photographing mode information of the image data, determining whether or not a photographing mode is a

person photographing mode, based on the photographing mode information, and selecting a color space conversion condition from among plural color space conversion conditions, including first and second color space conversion conditions, in accordance with the determination result obtained in the determining step. The method further includes the step of performing, to the obtained image data, color space conversion of converting luminance/color difference data into RGB data, using the selected color space conversion condition. A first RGB color space corresponding to the first color space conversion condition is different from a second RGB color space corresponding to the second color space conversion condition, the second RGB color space having a color gamut wider than that of the first RGB color space. In a case where it is determined that the photographing mode is the person photographing mode, the first color space conversion condition is selected. The number of bits of the image data converted by using the first color space conversion condition is the same as the number of bits of the image data converted by using the second color space conversion condition. The photographing mode is a mode which corresponds to photographing an object by a digital camera to generate the image data, and which includes the person photographing mode and a scene photographing mode.

Thus, among its many features, Claim 11 provides for (i) determining whether or not a photographing mode is a person photographing mode, based on obtained photographing mode information, (ii) selecting a color space conversion condition from among plural color space conversion conditions, including first and second color space conversion conditions, in accordance with the determination result, and that (iii) the photographing mode is a mode which corresponds to photographing an object by a digital camera to generate the image data, and which includes the person photographing mode and

a scene photographing mode. The applied references of Kuwata, Hultgren, Yamamoto, Takemoto and Ouchi are not seen to disclose or suggest at least these features.

As understood by Applicant, Kuwata discloses a system in which an sRGB color space and an NTSC color space are selectively used according to a type of camera. See Kuwata, paragraph [0055]. In addition, input image data in a YCbCr space is converted into an RGB space used in shooting, where the RGB space can be seen to correspond with the selected sRGB color space or NTSC color space. See Kuwata, S14 in Figure 3.

As such, Kuwata is seen to disclose that the color space remains the same for images shot by the same camera. In addition, Kuwata is seen to disclose that image data in the YCbCr space, obtained by extracting JPEG-compressed image data, is converted into image data in the original RGB space, which corresponds to the selected RGB space. Accordingly, after conversion in Kuwata, the RGB space is still seen to be based on the kind of camera, where the color space of the images shot by the same camera remains the same.

Accordingly, Kuwata is not seen to disclose or suggest (i) determining whether or not a photographing mode is a person photographing mode, based on obtained photographing mode information, and (ii) selecting a color space conversion condition from among plural color space conversion conditions, including first and second color space conversion conditions, in accordance with the determination result. Furthermore, Kuwata is not seen to disclose or suggest that (iii) the photographing mode is a mode which corresponds to photographing an object by a digital camera to generate the image data, and which includes the person photographing mode and a scene photographing mode.

In addition, Hultgren, Yamamoto, Takemoto and Ouchi have been reviewed and are not seen to compensate for the deficiencies of Kuwata. In particular, Hultgren, Yamamoto, Takemoto and Ouchi are not seen to disclose or suggest foregoing features (i) to (iii).

Claim 11 is therefore believed to be allowable over the applied references.

In addition, independent Claims 19 and 20 are apparatus and storage medium claims, respectively, which generally correspond to method Claim 11. Accordingly, Claims 19 and 20 are believed to be allowable for the same reasons.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa,  
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our below-listed address.

Respectfully submitted,

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